c) Listing of Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently Amended) A non-invasive method for gene regulation during gene therapy comprising the steps of:

(a) introducing electromagnetic field response elements into a gene promoter not having any electromagnetic field response elements *in vitro;*

(b) then introducing the gene promoter from step (a) into a subject ~~mammal~~ to serve as switches for regulating exogenously introduced genes; and

(c) ~~(b)~~ applying an electromagnetic field to the introduced electromagnetic field response elements to induce gene expression in the subject ~~mammal~~.

2. (Original) The method as set forth in claim 1, wherein the introduced electromagnetic field response elements are nCTCTn sequences in an HSP70 gene promoter.

3. (Currently Amended) The method as set forth in claim 2, wherein three nCTCTn sequences in an HSP70 promoter are ~~is~~ introduced.

4. (Original) The method as set forth in claim 3, wherein the nCTCTn sequences lie between about -230 and about -160 in the HSP70 gene promoter.

5. (Original) The method as set forth in claim 1, wherein the introduced electromagnetic field response elements are nCTCTn sequences in a c-*myc* gene promoter.

6. (Currently Amended) The method as set forth in claim 5, wherein eight nCTCTn sequences in a c-myc gene promoter are ~~is~~ introduced.

7. (Original) The method as set forth in claim 6, wherein the nCTCTn sequences lie between about -1257 and about -353 in the c-*myc* gene promoter.

8. (Original) The method as set forth in claim 1, wherein the electromagnetic field is applied at a field strength of about 8μT and a frequency of about 60Hz for a time of about 30 minutes.

9. (Currently Amended) A non-invasive method for gene regulation during gene therapy comprising the steps of:

(a) introducing at least one electromagnetic field response elements into a gene promoter not having any electromagnetic field response elements *in vitro;*

(b) then introducing the gene promoter from step (a) into a subject ~~mammal~~ to serve as switches for regulating exogenously introduced genes; and

(c) ~~(b)~~ applying an electromagnetic field to each introduced electromagnetic field response element to induce gene expression in the subject ~~mammal~~.--

10. (Original) The method as set forth in claim 9, wherein each

introduced electromagnetic field response element is an nCTCTn sequence in an HSP70 gene promoter.

11. (Original) The method as set forth in claim 9, wherein each introduced electromagnetic field response element is an nCTCTn sequence in a c-*myc* gene promoter.

12. (Original) The method as set forth in claim 9, wherein the electromagnetic field is applied at a field strength of about 8μT and a frequency of about 60Hz for a time of about 30 minutes.